

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

JEFFREY LENROW SHEPHERD,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 16-cv-027-CJP¹
)	
CAROLYN W. COLVIN, Acting)	
Commissioner of Social Security,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

Proud, Magistrate Judge:

Before the Court is the parties' Joint Motion to Remand. **(Doc. 25).**

The parties agree that this case should be remanded to the agency for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). A sentence four remand (as opposed to a sentence six remand) depends upon a finding of error, and is itself a final, appealable order. See, *Melkonyan v. Sullivan*, 501 U.S. 89 (1991); *Perlman v. Swiss Bank Corporation Comprehensive Disability Protection Plan*, 195 F.3d 975, 978 (7th Cir. 1999). Upon a sentence four remand, judgment should be entered in favor of plaintiff. *Schaefer v. Shalala*, 509 U.S. 292, 302-303 (1993).

The parties agree that, upon remand, "the Appeals Council will vacate all findings in the Administrative Law Judge's decision. The Commissioner will conduct further proceedings and develop the administrative record as necessary

¹ This case was assigned to the undersigned for final disposition upon consent of the parties pursuant to 28 U.S.C. §636(c). See, Doc. 9.

to determine whether Plaintiff is disabled within the meaning of the Social Security Act, and then issue a new decision.”

The Court notes that plaintiff applied for disability benefits in June 2012, more than four years ago. (Tr. 20). While recognizing that the agency has a full docket, the Court urges the Commissioner to expedite this case on remand.

For good cause shown, the parties’ Joint Motion to Remand (**Doc. 25**) is **GRANTED**.

The final decision of the Commissioner of Social Security denying Jeffry Lenrow Shepherd’s application for social security benefits is **REVERSED and REMANDED** to the Commissioner for rehearing and reconsideration of the evidence, pursuant to sentence **four** of 42 U.S.C. §405(g).

The Clerk of Court is directed to enter judgment in favor of plaintiff.

IT IS SO ORDERED.

DATED: September 8, 2016.

s/ Clifford J. Proud
CLIFFORD J. PROUD
UNITED STATES MAGISTRATE JUDGE